

REQUEST FOR PROPOSALS

MARICOPA ASSOCIATION OF GOVERNMENTS (MAG) REGIONAL COMMUNITY WIDE AREA NETWORK STUDY

Maricopa Association of Governments
October 2000

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PUBLIC NOTICE

REQUEST FOR PROPOSALS:

MAG REGIONAL COMMUNITY WIDE AREA COMMUNITY NETWORK

The Maricopa Association of Governments (MAG) is requesting proposals from qualified consultants to conduct a project for designing a Regional Community Wide Area Network. The estimated time frame for this project is 12 months from the date of the notice to proceed and the cost is not to exceed \$225,000.

Detailed proposal requirements may be obtained by contacting the MAG Office at the address indicated below or by visiting the MAG Website at www.mag.maricopa.gov. A proposers conference will be held on Tuesday November 14, 2000, at 11:00 a.m. at the MAG Office, 302 North 1st Avenue, 2nd Floor, Saguaro Room. For further information, please contact Harry Wolfe at (602) 254-6300 or email to hwolfe@mag.maricopa.gov.

Proposals will be accepted until 12:00 noon (Arizona Time) on Thursday November 30, 2000, at MAG, Third floor, 302 North 1st Avenue, Phoenix, Arizona 85003.

SCOPE OF WORK

INTRODUCTION

The Maricopa Association of Governments (MAG) is requesting proposals from qualified consultants to design a project to implement a MAG Regional Community Wide Area Network (WAN) in the region. The primary objective of this project is to support regionally significant multimodal transportation-related activities which ultimately reduce vehicle miles traveled, relieve traffic congestion, and reduce air pollution.

Other related objectives are:

1. To meet the needs of MAG member agencies and the regional business community for business-quality real-time communications over the long term.
2. To link MAG member agencies through two-way voice, video and data transfer over a wide area network.
3. To reduce duplicative costs for the provision of voice, video and data transfer in and among MAG member agencies.

BACKGROUND

The Maricopa Association of Governments (MAG) is a Council of Governments that serves as the regional agency for the metropolitan Phoenix area. It is comprised of 24 cities and towns, two Indian Communities and Maricopa County. The Arizona Department of Transportation and the Citizens Transportation Oversight Committee also sit on the Regional Council. MAG provides a regional forum for analysis, discussion and resolution of issues in such areas as transportation, air quality, environment, regional development and social services.

This regional community wide area network study is a partnership between MAG and its 27 member agencies. The MAG Regional Council supports multimodal transportation efforts, including an Intelligent Transportation System, which help to reduce travel, relieve congestion and decrease air pollution. The Regional Council encourages the development and maintenance of telecommunication infrastructure and applications which increase the efficiency of government operations, improve access to public information and expedite the delivery of government services in Maricopa County. In addition, the Regional Council recognizes the importance of involving the business community and their telecommunication needs. Various MAG committees and stakeholders will provide input to this project. Two primary committees will be the MAG Telecommunications Advisory Group and the MAG Intelligent Transportation Systems Committee.

MAG will use Federal Highway Administration funding to support the Regional Community Wide Area Network Study. This funding will allow MAG to design network solutions to support multimodal transportation efforts which reduce travel in the region for its members and other users of the

technology as well as to enhance business-quality, real-time communications. The funding will also allow MAG to make a contribution to air quality initiatives and address the needs of the community.

The MAG Regional Community Wide Area Network Study is the first phase of an integrated MAG Regional Community WAN Project. It is anticipated that this study and network implementation plan will produce the guidelines and standards to direct the future phased design and implementation of the network with the input and support of the public sector, private sector and telecommunications providers.

PROPOSED TASKS

The CONSULTANT is encouraged to be creative in developing a sound analytical approach which achieves the goals for this project. The CONSULTANT is urged to be as specific as possible when describing the activities that will be performed to support each task. The CONSULTANT is also urged to make maximum use of matrices, tables and drawings in working papers produced for the project to ensure conciseness and clarity and to minimize the amount of text required. In preparing a proposal for consideration by MAG, the CONSULTANT is encouraged to be innovative in responding to tasks and/or providing additional tasks. All working papers and presentation materials will be provided in either Microsoft Office Suite 2000 or Corel Office Suite 2000. All matrices, tables, and drawings will be in both electronic format and hard copy. All spatial data for this project will be prepared in ArcInfo-compatible format, using Arizona Central State Plane coordinates, NAD83, and units = feet.

Task 1 Refine Scope of Work and Project Coordination

Throughout the course of this project, inquiry and discussion may result in some revisions to the Scope of Work and Project Schedule. As necessary, the CONSULTANT will refine the Scope of Work for this project based upon professional experience and input from MAG. This work will be performed under the general direction of the MAG project manager. The CONSULTANT will prepare documentation of any such revision, including a revised labor/dollar allocation and project task cost breakdown, and submit the revision to MAG for approval. It is important to note the budget for this project is not to exceed the total funds allotted for the project of \$225,000.

The CONSULTANT will be required to make presentations at multiple committee meetings. The CONSULTANT will also be required to meet and/or communicate with MAG staff on an as needed basis for project coordination purposes.

Task 2 Review Technology, Literature, Studies and Needs

Task 2.1 Conduct Telecommunications Technology and Literature Review

The CONSULTANT will conduct a telecommunications technology review and document the results. This review should include wireless, land-based, and fiber-type facilities, technologies and networks and any other viable options. The review should cover the following questions, as well as any others which the CONSULTANT feels are relevant to the project: What telecommunications technologies exist today? What are

accepted standards for these technologies? What is the current reliability of these technologies? How can security be assured with these technologies? What are the future trends and areas of innovation that will occur over the next one, five, and ten years? What steps can be taken to ensure that a Regional Community Wide Area Network does not become obsolete and is adaptable to new technology? What are the limitations of current and future technologies?

Task 2.2 Conduct Review of Member Agencies Needs and of Regional Community and Local WAN Studies and Plans

The CONSULTANT will conduct a review of member agencies' needs and future plans for an agency-wide WAN and for a regional WAN. The CONSULTANT will also conduct a review of these needs and future plans of MAG, the Regional Public Transportation Authority (RPTA), the Arizona Department of Transportation (ADOT), Federal Highway Administration (FHWA) and the State of Arizona. This review will include at a minimum: a) a site visit b) interview of relevant staff at each agency, c) a detailed survey conducted of each agency.

The survey should include the following information at a minimum as well as any other information the CONSULTANT feels is relevant to the project:

- Current and future needs
- Needs of their business community and/or external customers
- Current and future plans including:
 - The responsible parties
 - Network design
 - Extent of the network
 - Cost and funding sources
 - Network standards
 - Plans for interconnection with other agencies, organizations, or businesses
- The purposes and applications of the network that are currently in use by each member agency
- The physical location of existing facilities. The CONSULTANT will obtain drawings and/or maps in GIS compatible format whenever available.
- Current or in-progress network development
- The agency's responsibilities for and oversight of the public Right of Way

In addition, the CONSULTANT will collect and review all relevant regional and local Wide Area Network (WAN) studies and plans of MAG member agencies, ADOT, the State of Arizona (particularly the Department of Administration and Government Information Technology Agency), and the RPTA. The review should include an assessment of the following, as well as any other questions which the CONSULTANT feels are relevant to the project:

- What activities and projects are completed and operational and which ones are in progress?
- Who are the agencies and departments involved?
- What technology standards are identified and/or are in place?

- What are future plans related to implementation of the study or plan?
- What is the amount and source(s) of funding identified for implementation of the study or plan?

The CONSULTANT will prepare an executive summary, a narrative summary and a graphic summary of the results of the reviews. Detailed notes from each interview and survey will form the appendices for the survey summaries. Notes will include the contact name, title and phone number for each person interviewed at each organization.

Task 2.3 Conduct Community Survey

The CONSULTANT will, with guidance from MAG staff, prepare and administer a survey instrument to assess the basic telecommunications-related needs in the community. The groups surveyed will include a representative sampling of large and small businesses, the education community, telecommunications and utilities providers, and the general public. The CONSULTANT will indicate in the proposal a suggested sample size for each group. The purposes of this task are to help identify key players to be interviewed in Tasks 2.4 and 2.5 and to ensure consistent questions and responses when assessing the basic telecommunications needs in the community. This task will be performed prior to performing tasks 2.4 and 2.5.

Task 2.4 Conduct Business and Education Needs Assessment

The CONSULTANT will conduct an in-depth needs assessment of the business and education stakeholders in the MAG region. The stakeholders will be determined by the CONSULTANT with the approval of the MAG project manager.

The business community members surveyed should include a representative sampling of small businesses, large employers, and medium sized businesses in the top five current and future key economic sectors of the region. The education stakeholders should include representatives of the K-12, Community College, and University levels. The CONSULTANT will indicate in the proposal a suggested number of stakeholders of each group to be assessed. The needs assessment may be conducted via oral interviews, focus groups or other instrument suggested by the CONSULTANT and approved by MAG.

The needs assessment should include the following as well as any other information which the CONSULTANT feels is relevant to the project:

- Current and future business requirements in general and more specifically related to the exchange and transfer of voice, video and data; to enhance economic competitiveness in their respective industries and in the MAG region
- How current needs are being met
- Current and future plans to construct or link to an internal or external network. Maps or drawings of facilities should be provided in GIS compatible format whenever available
- Any ideas, suggestions, and concerns which these organizations have regarding the design and implementation of this Regional Community WAN project

Copies of any corporate or public sector business plans which address the above needs should be reviewed and provided.

The CONSULTANT will prepare an executive summary, a narrative summary and a graphic summary of the results of the reviews. Detailed notes from each needs assessment will form the appendices for the survey summaries. Notes will include the contact name, title and phone number for each person interviewed at each organization.

Task 2.5 Conduct Telecommunications/Utilities Industry Review

With direction from MAG staff, the CONSULTANT will conduct a review of private and public sector telecommunications/utilities organizations operating in the region regarding wireless, land-based, and fiber-type facilities and networks and any other viable options.

This CONSULTANT will review the State statutory framework and the Arizona Corporation Commission's regulatory responsibilities. The CONSULTANT will also identify the private and public sector telecommunications/utility organizations and interview relevant staff. The survey may be conducted via oral interviews, focus groups or other instrument suggested by the CONSULTANT and approved by MAG. The survey will include the following as well as any other information with the CONSULTANT believes is relevant to the project:

- Purpose and applications, extent, type, standards, cost, and location of current
- Network deployment
- Current and future plans for network upgrades/replacement
- Current and future needs to serve MAG member agencies and other external business and residential customers
- The level of willingness of these organizations to link their network with MAG member agencies and other private carriers
- Any ideas, suggestions, and concerns which these organizations have regarding the design and implementation of this Regional Community WAN project

Copies of any corporate business plans which address these needs should be reviewed and provided. Maps or drawings of facilities and networks should be provided in a GIS compatible format when available.

The CONSULTANT will prepare an executive summary, a narrative summary and a graphic summary of the results of the reviews. Detailed notes from each interview and survey will form the appendices for the survey summaries. Notes will include the contact name, title and phone number for each person interviewed at each organization.

Task 2.6 Conduct National Installation Review and Forum

The CONSULTANT will conduct a review of at least five other operational Wide Area Networks nationwide that are similar in size and scope to the proposed project and document the results. With specific direction and approval of MAG staff, the WANs reviewed will include at least one which is owned principally or in part by a government

entity or partnership, one private sector/business organization, and one which is located within the state of Arizona.

This review will include the following as well as any other information the CONSULTANT feels is relevant to the project:

- The responsible parties, purposes and applications of the network
- General network design
- Network standards, cost and funding sources
- Network and information security
- Future plans for upgrade or migration
- Plans for interconnection with other agencies, organizations, or businesses
- Pros and cons of each network design and installation
- Applicability of each to the MAG project
- Lessons learned by each organization
- Any ideas, suggestions, and concerns which these organizations have regarding the design and implementation of this Regional Community WAN project

The CONSULTANT will prepare an executive summary, a narrative summary and a graphic summary of the results of the reviews. Detailed notes from each interview and survey will form the appendices for the survey summaries. Notes will include the contact name, title and phone number for each person interviewed at each organization.

The CONSULTANT will also recommend panelists, arrange, set up, and conduct a public forum (via MAG videoconference facilities) of persons from various national installations, including some reviewed by the CONSULTANT in this task. The forum details will be coordinated with and approved by MAG staff.

Task 3 Develop Regional Community Wide Area Network Recommendation

Task 3.1 Determine Regional Community Wide Area Community Network Needs

The CONSULTANT will, based on the outcome of Tasks 1 and 2 above, identify any other significant factors not previously evaluated in the determination of the region's WAN needs. The CONSULTANT will prepare a report which identifies and synthesizes all region-wide needs for a Regional Community WAN. The report will also determine the overall network and support required to meet the identified needs.

Task 3.2 Identify and Evaluate Regional Community Wide Area Network Alternatives

The CONSULTANT will identify a minimum of three network alternatives. One or more of the alternatives may include a hybrid of technologies, public/private sector ownership, and/or utilize current installations for part of the network.

Each network alternative will identify the following as well as any other information the consultant feels is relevant to the project:

- Type
- Standards
- General design

- Expected reliability
- Costs
- Maintenance and support issues
- Network and information security issues
- Pros and cons
- Cost/benefit analysis
- Assurance of compatibility and migration
- Phasing of project

The alternatives will be evaluated on the following criteria as well as any other criteria the CONSULTANT feels is relevant to the project:

- Extent to which it meets regional Community needs
- Extent to which it meets program goals
- Compatibility and coordination with existing MAG member agencies' networks
- Adaptability to changing technology
- Capital costs
- Operational and ongoing costs
- Cost effectiveness
- Leverage of existing networks
- Minimal duplication of efforts and plans
- Flexibility of design
- Any other factors deemed appropriate

The CONSULTANT will prepare both a detailed report and a matrix that summarizes the alternatives. The alternatives will be presented by the CONSULTANT to the necessary MAG committees for consideration and possible recommendation to proceed. With guidance from MAG staff, the CONSULTANT will incorporate committee and public input received at committee meetings as appropriate.

Task 3.3 Develop Recommendation for a Regional Community Wide Area Network

Based on the evaluation conducted in Tasks 1 through 3.2, and input provided by MAG, the CONSULTANT will develop a WAN recommendation for the Region. The CONSULTANT will prepare a detailed narrative of the final recommendation and a matrix which summarizes the advantages and disadvantages of each alternative from Task 3.2 to provide an understanding of how the final recommendation was derived. The recommendation will be presented by the CONSULTANT to the necessary MAG committees for consideration and possible recommendation to proceed. With guidance from MAG staff, the CONSULTANT will incorporate committee and public input received at committee meetings as appropriate.

Task 4 Develop an Implementation Plan

Based on the evaluation of the alternatives above and the recommendations of the MAG committees, the CONSULTANT will prepare a plan that identifies what needs to be done to implement the recommended Regional Community Wide Area Network.

The implementation plan will identify at a minimum:

- What portion, if any, is already in place in the region
- A phasing approach (if needed)
- The general network design, configuration, and standards
- Compatibility and linkages with existing and planned networks
- Location of facilities and network
- Public and/or private sector ownership
- Leasing options
- Costs, including costs of construction, network, facilities, start-up, operations, maintenance, future upgrades and/or migration
- Schedule for deployment
- Levels of staff support needed from MAG member agencies
- Policies and procedures for implementation
- Scalability for smaller installation by individual MAG member agencies
- Recommended GIS coverages and databases and on-going data maintenance for support of the network
- Possible cost saving and enhancement options
- Any other information suggested by the CONSULTANT

The Plan will be specific enough for each participant to ensure compatibility of their current and proposed networks with the recommended Regional Community Wide Area Network. Prior to MAG Regional Council approval, the proposed Plan will be presented to the appropriate MAG committees, stakeholders, the telecommunications and utilities industry, and the general public for comment. MAG staff will assist with this coordination and presentation of the Plan for comment.

DELIVERABLE PRODUCTS

The products of this project are listed below. Each working paper should present information in a succinct manner with extensive use of tables, matrices and drawings. The working papers will be consolidated into a final report. An administrative draft of each working paper will be submitted in both electronic and hard copy format to the MAG project manager for review. Comments from the MAG project manager will be incorporated into the working paper by the CONSULTANT, before it is distributed for additional review. With guidance from MAG staff, comments received during the review process will be incorporated into the working paper by the CONSULTANT, which will then become a chapter in the draft final report. All working papers and presentation materials will be provided in either Microsoft Office Suite 2000 or Corel Office Suite 2000. All matrices, tables, and drawings will be in both, electronic format and hard copy. All spatial data for this project will be prepared in ArcInfo-compatible format, using Arizona Central State Plane coordinates, NAD83, and units = feet. In addition, each month the CONSULTANT will prepare a paragraph of information regarding the project and its current status that is suitable for publication in a public newsletter, and submit it with the monthly invoice.

1. Working Paper 1, Revised Scope of Work and Project Coordination, listing specific project tasks and a schedule for completion of each task (An administrative draft for review in electronic and hard copy format; and one electronic version and five hard copies of the revised Scope of Work and Project Schedule).

2. Working Paper 2, Technology and Literature Review (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper).
3. Working Paper 3, Review of Member Agency Needs and Regional Community and Local WAN Studies and Plans (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper).
4. Working Paper 4, Community Survey Instrument and Survey Results (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper).
5. Working Paper 5, Business and Education Needs Assessment (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper).
6. Working Paper 6, Telecommunications/Utilities Industry Review and Needs Assessment (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper).
7. Working Paper 7, National Installation Review and Forum Discussion (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper).
8. Working Paper 8, Determination of Regional Community Wide Area Network Needs (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper).
9. Working Paper 9, Identification and Evaluation of Regional Community Wide Area Network Alternatives (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper for distribution).
10. Working Paper 10, Regional Community Wide Area Network Recommendation (one initial administrative draft in electronic and hard copy format MAG review; and one electronic version and 5 copies of the revised Working Paper).
11. Working Paper 11, Regional Community Wide Area Network Implementation Plan (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper for distribution).
12. Working Paper 12, MAG Committees, Stakeholders, and Public Comment Notes and Summary (one initial administrative draft in electronic and hard copy format for MAG review; and one electronic version and 5 copies of the revised Working Paper for distribution).
13. Draft Final Report with Executive Summary (one initial administrative draft in electronic and hard copy format for MAG review; and 25 copies of the revised Draft Final Report with Executive Summary for distribution).

14. Final Report with Executive Summary (one camera-ready original, one copy in electronic format and 100 bound copies of the full report with executive summary, plus 25 additional copies of the Executive Summary).
15. Draft Implementation Plan with Executive Summary (one initial administrative draft in electronic and hard copy format for MAG review; and 25 copies of the revised Draft Implementation Plan with Executive Summary for distribution).
16. Final Implementation Plan with Executive Summary (one initial administrative draft in electronic and hard copy format for MAG review; and 25 copies of the Final Implementation Plan with Executive Summary for distribution).

PROPOSAL REQUIREMENTS

PROJECT COST AND SCHEDULE

The date of the notice to proceed is anticipated to be about January 31, 2001. A complete draft of this project report shall be submitted 12 months from the date of the notice to proceed.

PROPOSAL DELIVERY

1. 1. 10 copies of the proposal must be submitted by 12:00 noon (Mountain Standard Time) on Thursday, November 30, 2000 to:

Maricopa Association of Governments
Attention: Harry Wolfe
302 North 1st Avenue, Third Floor
Phoenix, Arizona 85003

Timely receipt of proposals will be determined by the date and time the proposal is received at the above address. Therefore, hand delivery is encouraged to assure timely receipt.

The proposals received by the deadline noted above will be opened publicly and the name of each respondent submitting will be read at 2:00 p.m. on Thursday, November 30, 2000 at the MAG Offices, Suite 200, Palo Verde Room, 302 North 1st Avenue, Phoenix, Arizona 85003.

All material submitted in response to this solicitation becomes the property of MAG and will not be returned.

2. Any questions regarding this Request for Proposals should be directed to the attention of Harry P. Wolfe at MAG, 302 North 1st Avenue, Suite 300, Phoenix, Arizona 85003, or by telephone at (602) 254-6300. The MAG fax number is (602) 254-6490 and questions can be posed electronically at mag@mag.maricopa.gov
3. A proposers conference for the project has been scheduled for Tuesday, November 14, 2000, 2000 at 2:00 p.m. in the Saguaro Room at the MAG Office, Suite 200, 302 North 1st Avenue, Phoenix, Arizona.

PROPOSAL CONTENT

It is required that the proposal:

1. Be limited to a maximum length of 25 pages, including cover letter, résumés, and appendices. The cover letter must be signed by a party authorized to bind the entity submitting the proposal.
2. Be prefaced by a brief statement describing the proposer's organization and outlining its approach to completing the work required by this solicitation. This statement should illustrate the proposer's overall understanding of the project.

3. Contain a work plan which concisely explains how the CONSULTANT will carry out the objectives of the project. In the work plan, the proposer should describe each project task and proposed approach to the task as clearly and thoroughly as possible.
4. Include a preliminary schedule for the project in bar-chart format. Indicate all work plan tasks and their durations.
5. Contain a staffing plan for the project. The plan should include the following in table format:
 - a. A project organization chart, identifying the project manager.
 - b. Names of key project team members and/or subconsultants. Only those personnel who will be working directly on the project should be cited.
 - c. The role and responsibility of each team member.
 - d. Percent effort (time) of each team member for the contract period.
 - e. The role and level of MAG technical staff support, if any.
6. The Disadvantaged Business Enterprise (DBE) participation goal for this proposal is 11 percent. DBEs proposed are required to be certified by ADOT or the City of Phoenix. Each proposal shall include the following information to meet the DBE requirements:
 - a. A clear and concise description of the work that each DBE will perform; and
 - b. The dollar amount of the participation of each DBE firm participating; or
 - c. If the 11 percent goal is not met, evidence of good faith efforts to meet the goal.
7. Include résumés for major staff members assigned to the project. These résumés should focus on their experience in this type of project.
8. Each firm submitting a proposal is required to certify that it will comply with, in all respects, the rules of professional conduct set forth in A.C.R.R. R4-30-301 (see Appendix A), which is the official compilation of Administrative Rules and Regulations for the State of Arizona.
9. Include proposer's recent experience (last five years) in performing work similar to that anticipated herein. This description shall include the following:
 - a. Date of project.
 - b. Name and address of client organization.
 - c. Name and telephone number of individual in the client organization who is familiar with the project.
 - d. Short description of project.

- e. CONSULTANT team members involved and their roles.
10. A labor cost allocation budget formatted as noted in Appendix B.
 11. All firms proposing on this project will be required to include a “*Proposer’s Registration Form*” (See Appendix C) in the submitted proposal. In addition, a “*Proposer’s Registration Form*” is required to be included for each subcontractor proposed for this project.
 12. Each firm shall document within its proposal any potential conflicts of interest. A conflict of interest shall be cause for disqualifying a CONSULTANT from consideration. A potential conflict of interest includes, but is not limited to:
 - a. Accepting an assignment where duty to the client would conflict with the CONSULTANT’S personal interest, or interest of another client.
 - b. Performing work for a client or having an interest which conflicts with this contract.
 - c. Employing personnel who worked for MAG or one of its member agencies within the past three years.

MAG will be the final determining body as to whether a conflict of interest exists.

PROPOSAL EVALUATION AND SELECTION PROCESS

1. All proposals will be evaluated by an evaluation group. Evaluation criteria include the following:
 - a. Demonstrated understanding of the project through a well-defined work plan consistent with program objectives.
 - b. Clarity of proposal, realistic approach, technical soundness, and enhancements to elements outlined in this Request for Proposals.
 - c. Experience of Project Manager and other project personnel in similar studies. Only those personnel assigned to work directly on the project should be cited.
 - d. Proven track record in this area of study. Proposers should identify the principal people who worked on past projects and the amount of time they devoted to the work effort.
 - e. Availability of key personnel throughout the project effort.
 - f. Price, except for the procurement of architectural or engineering (A&E) services.
 - g. Ability and commitment to complete the project within the specified time period, meet all deadlines for submitting associated work products, and insure quality control.
 - h. Recognition of work priorities and flexibility to deal with change and contingencies.
2. On the basis of the above evaluation criteria, selected firms submitting proposals may be interviewed prior to the selection of a CONSULTANT. MAG strongly suggests that the Project Manager and key members of the CONSULTANT team be present at the interview.
3. The Maricopa Association of Governments may conduct discussions with offerors who submit proposals determined to be reasonably susceptible of being selected for award.
4. The Maricopa Association of Governments reserves the right to:
 - a. Cancel this solicitation.
 - b. Reject any and all proposals and re-advertise.
 - c. Select the proposal(s) that, in its judgment, will best meet its needs.
 - d. Negotiate a contract that covers selected parts of a proposal, or a contract that will be interrupted for a period or terminated for lack of funds.

ADMINISTRATIVE REQUIREMENTS

1. This Request for Proposals is for a cost-reimbursement plus fixed fee contract.
2. During the course of the project, a monthly progress report is required to be submitted within ten (10) working days after the end of each month until the final report is submitted. Each report shall include a comprehensive narrative of the activities performed during the month, an estimated percent complete for each project task, monthly and cumulative costs by task, activities of any subcontractors, payments to any subcontractors, a discussion of any notable issues or problems being addressed, and a discussion of anticipated activities for the next month (See Appendix D for format).
3. MAG shall retain ten percent (10%) of the contract amount, withheld from each invoice, as final payment until completion of the project to the satisfaction and acceptance of the work. Final payment shall be made after acceptance of the final product and invoice.
4. An audit examination of the CONSULTANT'S records may be required.
5. The firm that is selected will be required to comply with Titles VI and VII of the Civil Rights Act of 1964. The contractor will comply with Executive Order 11246, entitled Equal Employment Opportunity, as amended by Executive Order 11375 and as supplemented in Department of Labor Regulations (41 CFR Part 60). The contractor will also be required to comply with all applicable laws and regulations of the U.S. Department of Transportation.
6. The firm selected will be required to comply with MAG insurance requirements, which may include: Workmen's Compensation, Architects and Engineers Professional Liability insurance, Comprehensive General Liability insurance, Business Automobile Liability insurance, and Valuable Papers insurance.
7. The firm selected is required to document any potential conflicts of interest during the contract period. A conflict of interest shall be cause for terminating a contract. A potential conflict of interest includes, but is not limited to:
 - a. Accepting an assignment where duty to the client would conflict with the CONSULTANT'S personal interest, or interest of another client.
 - b. Performing work for a client or having an interest which conflicts with this contract.
 - c. Employing personnel who worked for MAG or one of its member agencies within the past three years.

MAG will be the final determining body as to whether a conflict of interest exists.

8. The firm that is selected will be required to comply with the MAG Disadvantaged Business Enterprise (DBE) Program requirements. The annual overall DBE goal is 11 percent. See Appendix E for a summary of "MAG's Key DBE Regulatory Requirements." A complete copy of MAG's DBE Program is available on the MAG website at www.mag.maricopa.gov.

9. The firm that is selected to undertake the Regional Wide Area Network Study will be precluded from proposing on the implementation of the Regional Wide Area Network to avoid any conflict of interest or the appearance of a conflict of interest.

APPENDIX A

ARIZONA ADMINISTRATIVE CODE R4-30-301

ARTICLE 3. REGULATORY PROVISION

R4-30-301. Rules of professional conduct:

- A. All registrants shall comply substantially with the following standards of professional conduct:
1. A registrant shall not submit any materially false statements or fail to disclose any material facts requested in connection with his application for certification.
 2. A registrant shall not engage in fraud, deceit, misrepresentation, or concealment of material facts in advertising, soliciting, or providing professional services to members of the public.
 3. A registrant shall not knowingly sign, stamp, or seal any plans, drawings, blueprints, land surveys, reports, specifications, or other documents not prepared by the registrant or his bona fide employee.
 4. A registrant shall not knowingly commit bribery of a public servant as proscribed in A.R.S. 13-2602, or knowingly commit commercial bribery as proscribed in A.R.S. 13-2605, or violate any Federal statute concerning bribery.
 5. A registrant shall comply with all Federal, State, and local building, fire, safety, real estate, and mining codes, and any other laws, codes, ordinances, or regulations pertaining to the registrant's professional practice.
 6. A registrant shall not violate any State or Federal criminal statute involving fraud, misrepresentation, embezzlement, theft, forgery, or breach of fiduciary duty, where the violation is related to the registrant's professional practice.
 7. A registrant shall apply the technical knowledge and skill which would be applied by other qualified registrants who practice the same profession; a contemporary "Manual of Surveying Instructions" issued by the Bureau of Land Management, United States Department of Interior and in effect prior to May 23, 1983 to the extent applicable to that professional engagement.
 8. A registrant shall not accept an assignment where the duty to a client or the public would conflict with the registrant's personal interest or the interest of another client without full disclosure of all material facts of the conflict to each person who might be related to or affected by the project or engagement in question.
 9. A registrant shall not accept compensation for services related to the same project or

professional engagement for more than one party without making full disclosure to all such parties and obtaining the express written consent of all parties involved.

10. Except as provided in Paragraph 11 of this rule, a registrant shall not accept any professional engagement or assignment outside his professional registration unless:
 - a. He is qualified by education, technical knowledge, or experience to perform such work, and
 - b. Such work is both necessary and incidental to the work of his profession on that specific engagement or assignment.

A registered professional engineer may accept professional engagements or assignments in branches of engineering other than that branch in which he has demonstrated proficiency by registration, but only if he has the education, technical knowledge, or experience to perform such engagements or assignments.

11. Except as otherwise provided by law, code, ordinance, or regulation, a registrant may act as the prime professional for a given project and select collaborating professionals; however, the registrant shall perform only those professional services for which he is qualified by registration to perform and shall seal and sign only the work prepared by him or by his bona fide employee working under his direct supervision.
12. A registrant shall make full disclosure to all parties concerning:
 - a. Any transaction involving payments to any person for the purpose of securing a contract, assignment, or engagement, except for actual and substantial technical assistance in preparing the proposal; or
 - b. Any monetary, financial, or beneficial interest the registrant may hold in a contracting firm or other entity providing goods or services, other than the registrant's professional services, to a project or engagement.
13. A registrant shall not solicit, receive, or accept compensation from material, equipment, or other product or services suppliers for specifying or endorsing their products, goods, or services to any client or other person without full written disclosure to all parties.

APPENDIX B

LABOR COST ALLOCATION BUDGET

LABOR COST ALLOCATION BUDGET

SAMPLE

CONSULTANTS											
Person	Total Hourly Rate	1	2	3	4	5	6	7	8	Total Hours	Total Cost
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
Total Hours		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
Total Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Hours Inception to Date		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

REIMBURSABLE EXPENSES										EXPENSES BY TASK	
Description		1	2	3	4	5	6	7	8	Total Cost	
Office Supplies		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Computer Time		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Travel		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Miscellaneous		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
*any other category as needed (e.g., aerial photos)		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Reimbursable Expenses		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

SUBCONTRACTORS											
										HOURS BY TASK	
Company		1	2	3	4	5	6	7	8	Total Cost	% of Grand Total
(NAME)		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
(NAME)		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Hours Inception to Date		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

GRAND TOTAL										TOTAL COSTS BY TASK	
Description		1	2	3	4	5	6	7	8	Total	
Consultant Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Reimbursable Expenses		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Subcontractors		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Sub-Total		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Fee@	0.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
GRAND TOTAL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

APPENDIX C

PROPOSER'S REGISTRATION FORM

PROPOSER'S REGISTRATION FORM

All firms proposing as prime contractors or subcontractors on Maricopa Association of Governments (MAG) projects are required to be registered. **Please complete this form and return it with your proposal.**

If you have any questions about this registration form, please call Art Rullo, Fiscal Services Manager, (602) 254-6300.

1. GENERAL INFORMATION:

Name of Firm:

Street Address:
City, State, ZIP

Mailing Address:
City, State, ZIP

Telephone Number:

Fax Number:

E-mail address:

Web address:

Year firm was established:

Check all that apply:

Is this firm a prime consultant? _____

Is this firm a sub-consultant? _____

Is this firm a certified DBE? _____

Is this firm currently debarred? _____

Is this firm currently the subject of debarment proceeding? _____

Identify specialty: _____

If so, by whom? _____

2. FINANCIAL INFORMATION

Firm's annual gross receipts (average of last 3 years):

_____ <\$300,000

_____ \$300,000 - \$599,999

_____ \$600,000 - \$999,999

_____ \$1,000,000 - \$4,999,999

_____ >\$5,000,000

Information will be maintained as confidential to the extent allowed by federal and state law.

The undersigned swears that the above information is correct. Any material misrepresentation may be grounds for terminating any contract which may be awarded and initiating action under federal and state laws concerning false statements.

Name, Title

Date

APPENDIX D

PROGRESS REPORT FORMAT

(Project Costs by Task Format)

(Contractor’s Letterhead)

TIN 23-6016952 (TAXPAYER ID NUMBER)

April 15, 1999

IN ACCOUNT WITH: Maricopa Association of Governments
302 North First Avenue, Suite 300
Phoenix, Arizona 85003

ATTENTION: MAG Fiscal Services

PROFESSIONAL SERVICES: (NAME OF PROJECT)
Contract #_____ dated (MM/DD/YY)

Project Costs by Task
(DATE OF INVOICE)

		Estimated Completion To Date			Amount Previously Billed	Amount This Invoice
Task Number	Description	Estimated Task Budget	Percentage	Amount		
1	Data Collection	\$0.00	0%	\$0.00	\$0.00	\$0.00
2	Inventory	\$0.00	0%	\$0.00	\$0.00	\$0.00
3	Forecasts	\$0.00	0%	\$0.00	\$0.00	\$0.00
4	Demand/Capacity Analysis and Facility Requirements	\$0.00	0%	\$0.00	\$0.00	\$0.00
5	Alternatives	\$0.00	0%	\$0.00	\$0.00	\$0.00
6	Evaluation of Alternatives	\$0.00	0%	\$0.00	\$0.00	\$0.00
7	Recommendations	\$0.00	0%	\$0.00	\$0.00	\$0.00
8	Implementation	\$0.00	0%	\$0.00	\$0.00	\$0.00
TOTAL BUDGET		\$0.00	0%	\$0.00	\$0.00	\$0.00

NOTE: The total amount billed for each task in the task budget cannot exceed 100% of the original budget.
(Hours and Costs by Task Format)

INVOICE #3
PERIOD: March 1999

COSTS AND HOURS BY TASK

CONSULTANTS											
Person	Direct Labor Hourly Rate	1	2	3	4	5	6	7	8	Total Hours	Total Cost
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
Total Hours		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$00.00
Total Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Hours Inception to Date		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

REIMBURSABLE EXPENSES										EXPENSES BY TASK	
Description		1	2	3	4	5	6	7	8	Total Cost	
Postage		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Photocopy/Printing		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Travel		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Telephone		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Miscellaneous		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Aerial Photos		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Total Reimbursable Expenses		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	

SUBCONTRACTORS											
Person	Hourly Rate	1	2	3	4	5	6	7	8	Total Hours	Total Cost
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
(NAME)	\$0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Total Hours		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Total Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	
Hours Inception to Date		0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	

GRAND TOTAL		TOTAL COSTS BY TASK								
Description		1	2	3	4	5	6	7	8	Total
Consultant Cost		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Consultant Overhead@	1.80	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Reimbursable Expenses		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Subcontractors		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Sub-Total		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Fee@	0.10	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
GRAND TOTAL		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

(Progress Report Format)

(Consultant's Letterhead)

April 15, 2000

Maricopa Association of Governments
302 North First Avenue, Suite 300
Phoenix, Arizona 85007

Re: Progress Report No. 3 and Invoice for the Period of March 2000

For Each Task, the CONSULTANT is to provide the percent of work completed to date, a narrative describing the work accomplished, data obtained, problems encountered, meetings held and reports and/or data produced. It is the responsibility of the CONSULTANT to document that the work accomplished for each task during the reporting period is commensurate with the amount of money billed for the task in the invoice.

The narrative describing the work accomplished should be of sufficient detail to enable the Project Manager to clearly understand the progress on the task during the reporting period. Wherever possible, the CONSULTANT should submit along with the progress report appropriate documentation of work accomplished, such as partial or complete draft technical reports or working papers, etc.

TASK 1 - DATA COLLECTION

Percent of Work Completed: 100 percent.

Work Accomplished: An Airport database in both hard copy and electronic format was developed and a methodology for keeping the database current was established.

Data Obtained: Information on the airfield facilities, terminal facilities and navigation aids was secured for each of the 15 airports in the study area. The data included, but was not limited to: airport acreage, runway, taxiway and apron dimensions, navigation aids, terminal facilities, automobile parking, navigation aids, lighting and current and historical traffic levels.

Meetings Held: The following meetings were held in connection with the data collection effort:

March 15, 2000, with the Aviation Director of the City of Phoenix to review data collected for Phoenix Sky Harbor International Airport.

March 21, 2000, with the Aviation Advisory Committee to obtain input on the data collection process.

March 23, 2000, with MAG staff to review comments on preliminary database.

March 25, 2000, with Jim Redd of the Arizona Pilots Association to obtain input on the distribution of the database.

Reports or Data Produced: An airport database in electronic format was produced and provided to MAG staff on March 29, 2000.

TASK 2 - INVENTORY

Percent of Work Completed: 100 percent.

Work Accomplished: An airport inventory was completed, and the data obtained in Task 1 were compiled into a Draft Inventory Technical Report for distribution to the Aviation Advisory Committee.

Data Obtained: See Task 1.

Meetings Held: The following meetings were held:

March 1, 2000, met with MAG staff to finalize the outline for the Airport Inventory Technical Report.

March 10, 2000, met with the airport manager of Mesa Falcon Field to obtain suggestions on methods for comparing airport information.

Reports or Data Produced: A draft Airport Inventory Technical Report was produced and distributed to members of the aviation advisory committee for review and comment.

TASK 3 - FORECASTS

Percent of Work Completed: 100 percent.

Work Accomplished: Forecasts of based aircraft and aircraft operations for 15 airports were prepared for 1995, 2005 and 2015. The forecasts were consistent with County control totals of based aircraft reviewed by the Aviation Advisory Committee last month. The forecasts included a breakdown of based aircraft by aircraft type.

Data Obtained: See Task 1.

Meetings Held: March 21, 2000, met with MAG staff to discuss comments on preliminary forecast results.

Reports or Data Produced: A draft forecasts report was produced and distributed to members of the Aviation Advisory Committee for review and comment.

TASK 4 - DEMAND/CAPACITY ANALYSIS AND FACILITY REQUIREMENTS

Percent of Work Completed: 60 percent.

Work Accomplished: For each of the 15 MAG airports an Annual Service Volume (annual airport capacity) and an hourly capacity was computed using the guidance provided in FAA Advisory Circular 150-5060-5.

Data Obtained: See Task 1.

Meetings Held: A meeting was held with Aeronautics Division staff on March 25, 2000 to determine the cause of discrepancies between the capacity calculations in the MAG Regional Aviation System Plan Update and the State Airport System Plan. Some discrepancies were attributed to different data input; others to the methodology used to compute the estimate. Agreement was reached on resolving the discrepancy by both plans using the same data input assumptions, and the State updating their procedure for computing capacity.

Reports or Data Produced: None. However, a draft set of airport capacity estimates is enclosed documenting the assumptions and data input used to prepare the estimates.

TASK 5- ALTERNATIVES

Percent of Work Completed: 25 percent.

Work Accomplished: Other regional aviation systems plans were examined to determine the type of alternatives that were used to meet future demand.

Data Obtained: Regional Aviation System Plans from San Diego, Los Angeles, Denver, Seattle Tucson and Chicago were collected.

Meetings Held: On March 18, 2000, a meeting was held with the Aviation Planner for the Pima Association of Governments to discuss alternatives included in the Tucson Regional Airport Plan.

Reports or Data Produced: None.

TASK 6 - EVALUATION OF ALTERNATIVES

Work on this task has not begun.

TASK 7 - RECOMMENDATIONS

Work on this task has not begun.

TASK 8 - IMPLEMENTATION

Work on this task has not begun.

Problems Encountered

There was difficulty calculating the apron dimensions for the airports because sponsors define the apron area differently, and not all sponsors keep data on the size of the apron in terms of square feet. To insure consistency among the data a methodology was developed for calculating apron space after consultation with MAG staff and members of the Aviation Advisory Committee. The sum of the individual airport forecasts exceeded the County control totals for based aircraft. The based aircraft forecasts by airport had to be revised to be consistent with the control totals. Some of the capacity calculations prepared for the study were different from the capacity calculations included in the State Airport System Plan. The problem was resolved at a meeting held with the Aeronautics Division staff on March 25, 2000.

Invoice

The enclosed invoice is for the third progress payment of \$17,679.20. The total amount billed to date is \$48,250.00.

Sincerely,

Elmer White
Senior Consultant

Enclosure

cc: Mr. Arnold Black
Dr. Joseph Brown

APPENDIX E

MAG'S KEY DBE REGULATORY REQUIREMENTS

SUMMARY OF MAG'S KEY DISADVANTAGED BUSINESS ENTERPRISE (DBE) PROGRAM REQUIREMENTS FOR CONSULTANT CONTRACTS

The Disadvantaged Business Enterprise (DBE) requirements in the Code of Federal Regulations Title 49, Part 26 will apply to this contract. A complete copy of MAG's DBE Program is available on the MAG website at www.mag.maricopa.gov. Please contact Art Rullo, DBE Liaison Officer, at 602-254-6300 with any questions.

DBE Participation Goal and Reporting:

The DBE participation goal for this contract is 11 percent of the contract award. DBEs used for this contract are required to be certified by the Arizona Department of Transportation or the City of Phoenix prior to the award of the contract. A list of Certified DBE organizations is available at the Civil Rights Office of the Arizona Department of Transportation (602-712-7761) or the City of Phoenix, Equal Opportunity Department (602-262-6790).

The CONSULTANT will be required to report monthly on:

- (1) the utilization of any subcontractors (DBE and Non-DBEs), number of hours worked, and costs incurred; and
- (2) any payments made to subcontractors (DBEs and non-DBEs).

Contractor and Subcontractor Assurance:

MAG will incorporate into each contract it signs with a Prime Contractor, and require in each subcontract (that a Prime Contractor signs with a Subcontractor), the following assurance:

“The Contractor, Subrecipient or Subcontractor shall not discriminate on the basis of race, color, national origin, or sex in the performance of this contract. The contractor shall carry out applicable requirements of 49 CFR 26 in the award and administration of USDOT-assisted contracts. Failure by the contractor to carry out these requirements is a material breach of this contract, which may result in the termination of this contract or such other remedy as MAG deems appropriate.”

Prompt Payment Provision:

“The Prime Contractor will pay Subcontractors for satisfactory performance of contracts no later than fourteen (14) calendar days from the date that the Prime Contractor receives payment from MAG. The Prime Contractor will also return retention payments to the Subcontractor within fourteen (14) calendar days from the date of satisfactory completion of work.”

Prime Contractors Shall:

- Provide the Subcontractor with the name, address and phone number of the person to whom all invoices/billings and statements shall be sent.
- Pay Subcontractors and suppliers within fourteen (14) days of receipt of payment from MAG.
- Stipulate the reason(s) in writing to the subcontractor and to MAG for not abiding by the prompt payment provision. Some possible reasons include:

1. Failure to provide all required documentation
2. Unsatisfactory job performance
3. Disputed work
4. Failure to comply with other material provisions of the contract
5. Third-party claims filed or reasonable evidence that a claim will be filed
6. Reasonable evidence that the contract cannot be completed for the unpaid balance of the contract sum or a reasonable amount for retainage.

Subcontractors Shall:

1. Submit invoices or billing statements to the Prime Contractor's designated contact person in an appropriate format and in a timely manner. The format and the timing of billing statements shall be specified in the contract(s) between the Prime Contractor and the Subcontractor(s).
2. Notify MAG in writing of any potential violation of the prompt payment provision.

MAG will implement appropriate mechanisms to ensure compliance with the requirements of all program participants.

The mechanisms MAG may use, include, but are not limited to:

1. MAG will notify Subcontractors (DBE and Non-DBEs) of the Prime Contractor's responsibility for prompt payment and encourage Subcontractors to notify MAG in writing with any possible violations to the prompt payment mechanism.
2. Withholding payment from Prime Contractors that do not comply with the prompt payment provision noted above, where it has been determined by the MAG DBE Liaison Officer that delay of payment to the Subcontractor is not justified.
3. Stopping work on the contract until compliance issues are resolved.
4. Terminating the contract.

